

# Police Involvement in Child Protective Investigation

Rhode Island Department of Children, Youth and Families

**Policy: 500.0065**

**Effective Date: July 7, 1984**

**Revised Date: December 9, 2011**

**Version 5**

The Department must notify the local law enforcement authority of all Level 1 allegations of abuse and/or neglect and all indicated cases of abuse and/or neglect. In emergency situations the Call Floor worker makes this notification immediately upon receipt of the call and documents this information on the CPS Report Protocol Narrative. In all other situations police contact is initiated by Child Protective Investigative staff. If any extenuating circumstances cause the Investigative Supervisor to decide against contacting the police, the Chief Investigator is consulted. If the decision is made not to notify the police, the Child Protective Investigator must document the reason(s) in a Case Activity Note. If any Child Protective Investigation reveals an activity which is a criminal offense, the police of the city or town where the alleged offense occurred must be informed immediately. The police investigate the criminal activity and report the results of the investigation to the Department of the Attorney General.

Child Protective Investigative Staff also contact local law enforcement agencies to request information, cooperation, and assistance. In accordance with Rhode Island General Law RIGL 40-11-7, a Child Protective Investigator (CPI) who is denied reasonable access to a child, can request the intervention of the local law enforcement agency and if necessary seek an appropriate court order to gain access to the child.

## **Related Procedure**

[Police Involvement in Child Protective Investigation](#)

## **Related Policy**

[Removal of the Child from Home](#)

## Police Involvement in Child Protective Investigation

### Procedure from Policy 500.0065: Police Involvement in Child Protective Investigation

- A. The Call Floor Child Protective Investigator (CPI) must notify the local law enforcement agency immediately upon the receipt of a report which alleges that a child is in imminent danger and immediate police intervention is necessary.
  - 1. The following are examples of when the Call Floor CPI makes immediate contact with the police:
    - a. Child abandoned and in imminent danger.
    - b. Child unsupervised and in imminent danger.
    - c. Child in imminent danger of physical harm.
    - d. Caretaker about to flee or child may disappear.
  - 2. The Call Floor CPI indicates on the Child Protective Services (CPS) Report Protocol that police have been notified.
  - 3. Any time that police are notified of any emergency situation by a Call Floor CPI, the CPS Report is transmitted to the Investigative Unit within ten minutes.
- B. CPI must notify police if a Child Abuse or Neglect (CA/N) report contains a Level 1 allegation. Level 1 allegations of CA/N include:
  - 1. Death.
  - 2. Brain damage/skull fracture.
  - 3. Subdural hematoma.
  - 4. Internal injuries.
  - 5. Sexually transmitted disease.
  - 6. Sexual intercourse.
  - 7. Sexual exploitation.
  - 8. Sexual molestation.
  - 9. If any extenuating circumstances cause the Investigative Supervisor to decide against contacting the police, the Chief Investigator is consulted. If the decision is made not to notify the police, the Child Protective Investigator must document the reason(s) in a Case Activity Note.
- C. The CPI must report all indicated abuse and/or neglect cases to the police at the conclusion of the investigation. The following written documentation of the investigation is submitted to the police:
  - 1. A cover letter indicating the names, dates of birth, and addresses of the parent(s), child(ren), victim(s), and perpetrator(s).
  - 2. Investigative Summary and CPI's Observations/Recommendations.
  - 3. The CPI cooperates with the police if additional information is required.
- D. If criminal activity is discovered during the course of an investigation, the CPI must report this to police.
- E. Police involvement/assistance can be requested for the following situations during the course of an investigation:
  - 1. Access to the home is denied.
  - 2. Access to child is denied.
  - 3. Physical presence of police is necessary to preserve the peace.
  - 4. Physical presence of police is necessary to protect worker and/or child.
  - 5. Locating subjects during an investigation.
  - 6. Obtaining information about subjects of an investigation.
  - 7. Providing requested information to police during the course of a joint CA/N investigation.

- F. If access to home or child continues to be denied even though police are present, the CPI, in consultation with his/her Supervisor and Legal Counsel, assesses the situation to determine if there is evidence (i.e. child in imminent danger) to support requesting a verbal Order of Detention, Ex Parte.
  - 1. During standard work hours - Legal Counsel will call judge to request verbal in emergency situations.
  - 2. During non-standard work hours - CPI Supervisor calls Chief Legal Counsel who calls judge.
  - 3. If verbal is given, police take steps are necessary to enforce the court order.
- G. Local law enforcement officers and CPIs and Social Caseworkers are authorized to enact a 48-hour police hold in certain situations in conformance with [DCYF Policy 500.0075, Removal of the Child from Home.](#)
- H. Whenever a Report of Examination has been filed, the CPI must verify with the police that they were notified by the physician/nurse practitioner or medical facility filing the report. Police are notified of the final finding of any report of CA/N referred to or received from the law enforcement agency.
- I. Police are notified if an investigation is ended without doing all of the tasks required.